

CRYSTAL HOWERY,  
Plaintiff,  
v.  
THE BOEING CO.,  
Defendant

No. C-14-01978 EDL

## **REPORT AND RECOMMENDATION REGARDING DISMISSAL**

On April 29, 2014, Plaintiff filed this employment discrimination action against Defendant The Boeing Company. On that date, the Court issued a Scheduling Order setting various case deadlines. Since that time, Plaintiff appears to have taken no action in the case, and has not otherwise communicated with the Court. Plaintiff did not respond to three clerk's notices from the Court. She failed to file a Case Management Conference statement by the due date of July 22, 2014 and failed to attend the Case Management Conference on July 29, 2014.

On July 30, 2014, the Court issued an Order to Show Cause, ordering Plaintiff to show cause as to why this case should not be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). Plaintiff's response to the Order to Show Cause was due no later than August 15, 2014. In the July 30, 2014 Order, the Court also stated that if Plaintiff failed to file a response to the Order to Show Cause by August 15, 2014, the Court would recommend dismissal of the action without prejudice.

Plaintiff has failed to file a response to the Court's Order to Show Cause by the court-ordered deadline, and has otherwise failed to contact this Court following the issuance of the July 30, 2014 Order. Therefore, the Court recommends dismissal of this action for failure to prosecute pursuant to Rul 41(b). Because all parties have not consented to the jurisdiction of a magistrate judge, the Court will reassign this case to a district court judge.

1 Any party may serve and file specific written objections to this recommendation within  
2 fourteen (14) days after being served with a copy. See 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P.  
3 72(b); Civil Local Rule 72-3. Failure to file objections within the specified time may waive the  
4 right to appeal the District Court's order.

5 Dated: August 19, 2014  
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ELIZABETH D. LAPORTE  
United States Chief Magistrate Judge